

pendency of the said petition, to show cause, before the date mentioned in the order nisi, for the ratification of the said sale, if any, they or either of them may have, why the said report of sale be not ratified and confirmed"; that as will appear from the certificate of publication filed by the Trustees in this cause, the usual order nisi on sales was published in the Frederick News, but the said Trustees who executed the said agreement to purchase did not see the said order nisi or were not aware that it was either their right or their duty to interpose objection to the ratification of the said sale on or before the twenty-seventh day of March, 1936, as stated in the said order nisi; that in further compliance with the said order, the said Albert S. Brown, one of the said Trustees, further certified that due notice was given to all parties in interest, as required by the said order of Court, and that all parties in interest have appeared and filed consent answers to the ratification of the said sale; that as will appear from the so-called consent answers, the only parties notified and who have consented are the heirs of Florence Jeanette Loots, and no notice has been given and no consent has been filed on behalf of the heirs of G. W. Charles Loots, and your petitioner says that it is advised that by reason of the said omission the said title offered by the said Trustees to your petitioner is defective and is not good and marketable.

Fourth: That as will further appear from the proceedings heretofore had in this cause, certain of the heirs of the said G. W. Charles Loots, were made parties defendant to the Bill, but that as will appear from the testimony taken herein, there are many other heirs of the said G. W. Charles Loots, which have not been made parties to these proceedings, and which are in no way bound by them, and that the title offered by the Trustees to your petitioner is defective and is not good and marketable.